



CITY HALL

207 Lafayette Street
P.O. Box 378
Winona, MN 55987-0378
FAX: 507/457-8212

April 19, 2013

Planning Commissioners
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Planning Commission will be held on **Monday, April 22, 2013, at 4:30 p.m. in the Wenonah Room** of the Winona City Hall.

1. Call to Order
2. Minutes – April 8, 2013
3. Proposed Local Historic Site Designation – Abner Hodgins House (275 Harriet Street)
4. Introduction – Proposed Amendments to B-2.5 District
5. Other Business
6. Adjournment

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Moeller".

Mark Moeller
City Planner

PLANNING COMMISSION MINUTES

DATE: April 8, 2013
TIME: 4:30 p.m.
PRESENT: Commissioners Boettcher, Gromek, Davis, Porter, Hahn, Olson, Buelow, Ballard and English
STAFF PRESENT: City Planner, Mark Moeller and Assistant City Planner, Carlos Espinosa

The meeting was called to order at 4:30 p.m. by Chairman Porter.

Approval of Minutes – March 25, 2013

The minutes from the Commission's meeting of March 25, 2013, were reviewed. Following a motion to approve by Commissioner Davis and second by Commissioner Boettcher, it was noted by Chairman Porter that his reference to specific trucking industry regulations found on paragraph two of page two, was designed to speak to the issue of Interstate shipping. He was noting this as a point of clarification. Given this comment, the minutes were approved as submitted.

Public Hearing-Transportation Impact Analyses for Silica Sand Facilities & Mines

Chairman Porter called on Carlos Espinosa, Assistant City Planner, to provide a summary of this item. Mr. Espinosa stated that during its last meeting, Commissioners had reviewed a draft ordinance that, if approved, would require all future mines and silica sand processing and transportation facilities to complete a Transportation Impact Analysis (TIA). He noted that proposed amendments were again included as Attachment A to the agenda item. Given discussion occurring at the last meeting, Mr. Espinosa stated that he had consulted with the City Attorney regarding the application of proposed amendments solely to silica sand uses. Given those discussions, the City Attorney had issued an opinion stating that the City does have the "regulatory authority to proceed with the proposed zoning ordinance amendments and impose specific and reasonable conditions in its code for these uses, including the requirement to undertake a traffic impact analysis". Mr. Espinosa stated that the premise of this opinion is based upon the fact that silica sand operations and mines are treated as conditional uses.

He further noted that in addition to Transportation Impact Analysis requirements, proposed amendments would define "silica sand" and specify that the City can request Transportation Impact Analyses as part of mine Conditional Use Permits in other jurisdictions.

Given the previous, Mr. Espinosa noted that the Commission has a number of options this afternoon including to:

1. Recommend approval of the proposed amendments as written.
2. Modify the proposed amendments.
3. Recommend denial of the proposed amendments.
4. Table a decision on the amendments and allow staff to answer any further questions.

He further noted that these options will be preceded by a required public hearing.

At this point, Chairman Porter opened the public hearing and called for anyone who wished to speak to present first their name and address.

Jane Cowgill, 317 Walnut Street, stated that although proposed amendments were a start, they did not go far enough in addressing many of the transportation issues that could be expected to occur. Given this, she felt it would be premature to adopt the ordinance before these issues are properly resolved. In summary, some of the concerns that she referenced included:

- Road system safety, particularly in light of the recent Environmental Quality Board report on the silica sand industry. In addressing this issue, she referenced the safety concerns on Highway 14 and recent accident history with the Highway 14/Seminary Road intersection.
- As a result of the silica sand industry, traffic patterns within the City are expected to change (increase).
- Increased road use translates into a greater needs for future repairs and increased liabilities. She questioned who would be responsible for paying for these.
- Truck maintenance compliance.
- Who would be assigned to monitor any spillage or leakage that may occur from the transport of silica sand throughout the City?
- Who will monitor trucks to make sure that loads are properly covered?
- Impacts of increased traffic along designated truck traffic routes.
- In short, who will be responsible for insuring that the silica industry, as a whole, is in compliance with defined standards?

In concluding, Ms. Cowgill suggested that the ordinance be revisited prior to being adopted.

Greg Gaut, 673 East Wabasha Street, stated that he lives just a few blocks to the west of Mankato Avenue. Since moving into his house, he felt that the nature/character has changed in relation to increased commercial and industrial developments along that route. It is also a street that is bisected by a major rail line and serves a significant number of City commuters daily.

Mr. Gaut stated that although he understood that truck routes would not be affected by the proposed ordinance, he was very concerned with this fact. Although designated truck routes are certainly designed to accommodate internal truck traffic, many of these routes are flanked by residential neighborhoods. As such, a greater level of truck traffic along any would simply have an impact on these neighborhoods.

In concluding, Mr. Gaut noted that although Mankato Avenue includes a number of functional pieces, the introduction of a considerable amount of increased truck traffic along it could present a significant problem to the whole. Given this, he suggested that the proposed ordinance be revisited.

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Michael Snater, 1312 Skyline Drive, stated that as a former resident to the Main/Sarnia Street intersection, the secondary effects of truck traffic can have negative impacts on resident quality of life issues. With this, he provided information to studies reflecting increases in cancer cases as a result of diesel engine exhaust/fumes and physical/mental health concerns pertaining to constant traffic noise. Given this, he too suggested that the ordinance be revisited particularly in the area of requiring traffic impact analyses for all silica sand operations regardless of whether truck routes are involved or not.

Dale Schurer, drew parallels between increased truck traffic to higher levels of congestion and what this meant for schools and bus routes. He too suggested that no exemption should apply to traffic impact analyses and that they should be required for all silica mine and processing operations.

Frank Bures, 224 Lake Drive, stated that, in his research, diesel exhaust particulates include many chemicals that have lead to 14, 400 deaths.

Dr. Bures also noted that many of these chemicals had been found in Greenland ice. With this, it is an issue that is not necessarily localized and can be found worldwide. He too suggested that a traffic impact analysis be applied to all silica sand operations and that the analysis be applied to all City streets, whether truck routes or not. He felt that such studies could be beneficial in anticipating future problems that might be expected.

Steve Schild, 408 West Broadway, encouraged transportation impact analysis for all silica sand operations. He too noted that such studies should include all routes including designated truck routes.

Joe Morse, Buffalo Ridge Road, noted that from his observations, silica sand trucking operations are messy and do tend to drop material on roads and streets. He referenced Maiden Rock, Wisconsin where silica sand operations are currently underway and where white dust is visible virtually everywhere. He suggested that a transportation impact analysis needs to address air quality matters and also expressed concern as to who would implement and enforce regulations evolving from such studies.

In addressing quality of life issues, he emphasized that the City of Winona does host a number of festivals throughout the year that bring in thousands of people. He asked how these might be affected by a significant increase in truck traffic. He suggested that the ordinance needs to be strengthened before its adopted and further encouraged the Commission to not include exemptions for certain types of streets (i.e.: truck routes).

Mr. Schild spoke to the Highway 43/Mankato intersection and noted that this particular intersection could be very problematic during certain times of the day when busing and truck traffic patterns are heavy.

There being no further comments, the public hearing was closed.

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Chairman Porter asked the Commission what action it would like to take. It was then moved by Commissioner Gromek and seconded by Commissioner Olson to recommend denial of the ordinance proposal that was in front of the Commission this afternoon.

Upon discussion, Commissioner Buelow asked when the Environmental Quality Committee would be meeting to discuss air quality issues. Mr. Espinosa responded that this is scheduled to occur on April 18th.

Commissioner Gromek noted that in presenting his motion, he has a number of concerns with the discriminatory nature of the concept. Although he understood that the Commission had the authority to enact such legislation, he did have a significant problem with requiring extensive transportation studies for targeted industries. Additionally, since such studies would terminate at City limits lines, it is conceivable that external factors could have greater impacts than those the City is trying to regulate.

Chairman Porter further noted that although concerns have been expressed of the secondary effects of diesel fumes, this is not an industry specific issue. In short, such impacts could be expected from any truck that generates from Winona or is passing through Winona.

Commissioner Hahn agreed with Chairman Porter while at the same time noting that trucks are becoming more efficient and many operate on fuels that are not as impacting to the environment.

Commissioner Olson asked how the issue of diesel fumes would be dealt with without impacting commerce.

Commissioner Buelow stated that he would be voting against the motion and would prefer to amend the current proposal to include truck routes in all required transportation impact analyses. Chairman Porter again emphasized that truck routes within the City are designed to accommodate trucks and again did not feel that a single industry should be targeted to undertake a study of transportation impacts alone.

When the question was called, the vote of the Commission was as follows: Commissioners Boettcher, Gromek, Ballard, Davis, Porter, English, Hahn and Olson voted aye; Commissioner Buelow voted nay; abstaining none.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned.

Mark Moeller
City Planner

PLANNING COMMISSION

AGENDA ITEM: 3. Proposed Local Historic Site Designation – Abner Hodgins House (275 Harriet Street)

PREPARED BY: Mark Moeller

DATE: April 22, 2013

During its meeting of April 10, 2013, the Winona Heritage Preservation Commission adopted the attached resolution which generally “initiates” the process of designating the Abner Hodgins House as a Local Historic Site. For Commission review, a copy of the Local Nomination Form for this property is also attached. (Note: The property is currently listed as a National Register Site.)

Generally, the process to designate a property as a Local Historic Site, requires formal hearings before both the Heritage Commission and City Council. Additionally, once a nomination is proposed, City Code Section 22.27 (k) (3) requires that the Planning Commission review/comment on it “prior” to Heritage Commission action. More specifically, this provision reads as follows:

22.27 (k) (3) Planning Commission Review. The Heritage Preservation Commission shall advise the City Planning Commission of the proposed designation of a heritage preservation site/district, including boundaries and secure from the City Planning Commission its recommendation with respect to the relationship of the designation to the comprehensive plan of the City of Winona, its opinions as to the effect of the proposed designation upon the surrounding neighborhoods, and its opinion and recommendation as to any other planning consideration which may be relevant to the proposed designation, together with its recommendation of approval, rejection, or modification of the proposed designation. The Heritage Preservation Commission may make such modification, changes, and alterations concerning the proposed designation as it deems necessary in consideration of the recommendations of the City Planning Commission.

Given the previous criteria, a copy of the 2007 Comprehensive Plan historic preservation component is attached for reference.

Should the Commission find that the nomination is appropriate; a motion to that effect is recommended. It is further noted that this nomination is supported by the Christenson’s (owners of the property).

Attachments

RESOLUTION # 51

HERITAGE PRESERVATION COMMISSION

WHEREAS, the Winona City Council finds that the historical, architectural, archaeological, engineering, and cultural heritage of this City is among its important assets; and

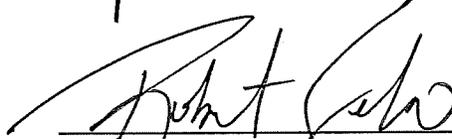
WHEREAS, the Winona Heritage Preservation Commission (the Commission) has been created for the purposes of promoting the rehabilitation and conservation of historic properties for the education, inspiration, pleasure and enrichment of citizens and visitors of Winona; and

WHEREAS, a qualified person has prepared a Local Designation Nomination Form for the Abner Hodgins House (275 Harriet Street); and

WHEREAS, following its review of the local Designation Nomination Form, the Commission finds that the Abner Hodgins House is locally significant for its HISTORIC and ARCHITECTURAL attributes.

NOW THEREFORE BE IT RESOLVED THAT the Winona Heritage Preservation Commission hereby recommends that consideration be given to the designation of the Abner Hodgins House as a Local Historic Preservation Site.

Dated this 10th day of April, 2013.



Bob Sebo
Chair, Winona Heritage Preservation Commission

Attested by:



Mark Moeller
City Planner

8. Historic Preservation Plan

Issues

Since the 1995 Comprehensive Plan, much has been accomplished in the area of preservation, including development of historic contexts for the City and design guidelines for the Second Street Historic District. The Historic Preservation Subcommittee identified some of the major issues that the 2007 Comprehensive Plan should address:

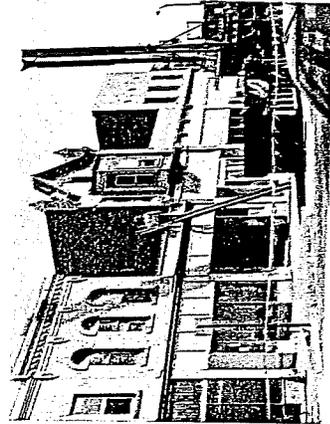
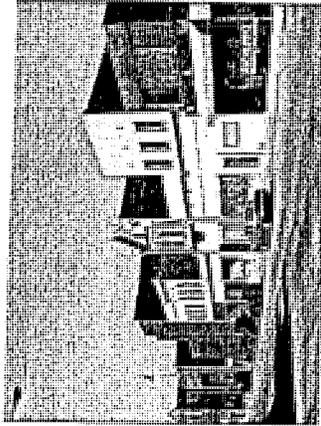
- **Visibility.** A general lack of public awareness of some of the City's most unique resources, such as the Watkins and Polish museums.
- **Cost concerns.** The idea that historic building standards can increase costs of building renovation or rehabilitation.
- **Lack of a local historic district.** Locally established districts can offer some level of protection for existing historic buildings, compared to the largely honorary National Register district designation. The recent demolition of several contributing buildings in the Third Street Historic District for employee parking highlighted the importance of this issue.

Goals and Objectives

1. **Preserve the City's unique character.** Identify, value and preserve the unique and diverse characteristics of Winona's architectural and built environment and its valuable outdoor and other public spaces.

Objectives:

1. Preserve, protect and promote identified significant architectural themes, unique elements of infrastructure in the City, (such as limestone sidewalks, brick streets and iron fences) and the established green space that helps define the City's historical character.
2. Encourage infill construction appropriate to neighborhood context and aesthetics.
3. Preserve and protect significant historical structures and districts through the promotion of local designations and the creation of clearly written design guidelines.
4. Promote methods of identifying and considering archeological resources prior to the development/redevelopment of property.



2. Preserve and enhance the historic character of downtown Winona.

Objectives:

1. Educate and create awareness for celebrating and promoting cultural and architectural heritage.
2. Maintain and improve upon the condition of historic downtown buildings.

3. Recognize the City's diverse heritage. Identify and celebrate the role of diverse peoples in Winona's development and preserve the artifacts of their lives. Recognize the legacy and many contributions of religious, fraternal and other groups to the City.

Objectives:

1. Celebrate the City's pre-settlement and post-settlement ethnicity.
2. Encourage Winonans and visitors to learn about and appreciate Winona's unique stories by collecting oral histories, written records and artifacts.

Policies and Actions

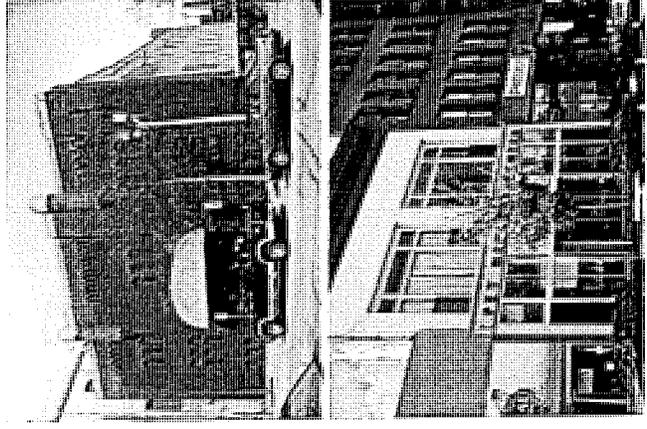
1. Establish a local historic district in downtown Winona. Districts and properties on the National Register of Historic Places, while eligible for federal tax incentives, are not protected against demolition or unsympathetic alteration. A local historic district, by contrast, when combined with a design review process, can protect the character-defining elements of a property, and can provide for review and approval or denial of demolitions.

A downtown local historic district would be located along Third Street from Johnson Street to Franklin Street and along Second Street from Center Street to Lafayette Street, matching the boundaries of the existing National Register East Second Street and Third Street districts. An attempt to establish such a district in the mid-1990s failed due to the opposition of some property owners. A renewed effort should build on the increased awareness of and commitment to downtown revitalization, focus on educating property owners, and offer incentives for renovation of historic buildings.

Related actions include the following:

- Implement design standards for both contributing and non-contributing⁴ buildings,

⁴ Contributing buildings have retained their historic character, whereas the historic character of non-contributing buildings has been compromised.



8. Historic Preservation Plan

including uniform signage within the Downtown Local Historic District. Standards were developed in 1999 for the East Second Street Historic District. (Design focusing on building renovation standards, and are currently being updated for the Third Street Historic District.)

- Implement **design guidelines** for the greater downtown area, focusing primarily on achieving compatibility between new infill development and surrounding traditional storefront buildings. Design guidelines can be linked to updated zoning standards (see below) or incorporated into a site plan review process. (This recommendation is also identified in the Downtown Revitalization Plan.)
- Compile reference materials for building owners regarding process and time line for permitting projects within the Downtown Local Historic District and informing them of the existing tax credit attached to the National Historic District and other state, federal and local funding options.

2. Update zoning regulations to encourage preservation and context-sensitive development. Zoning standards, both in downtown Winona and in its traditional neighborhoods and commercial districts, should encourage mixed use development, pedestrian-oriented design, and encourage adaptive reuse of historic buildings. Zoning standards should provide incentives for such reuse, such as reduced requirements for off-street parking, relaxation of setback requirements, or additional density or intensity of development.

3. Implement financial incentives and resources for historic building rehabilitation and adaptive reuse. Programs should include, but are not limited to, public/private partnerships with financial institutions, grants, revolving loans, tax abatement, and tax increment financing. Programs should focus primarily on downtown Winona, but should also include historic buildings outside the downtown.

4. Develop educational and informational programs that are designed to heighten an awareness and understanding of local history for all citizens and visitors to the City. Examples of such programs may include the development of K-12 curricula, brochures, travel exhibits and specialized seminars, using available media resources.

5. Encourage intergovernmental and interagency partnerships between the City, County, Winona County Historical Society, Visit Winona and others to promote preservation opportunities and programs.

PLANNING COMMISSION

AGENDA ITEM: 4. Introduction – Proposed Amendments to B–2.5 District

PREPARED BY: Mark Moeller

DATE: April 22, 2013

During its meeting of April 15th, the Council adopted one motion and resolution. Of these, the first authorized a study of the impacts and effects of existing, new, or expanded mixed use development in the B-2.5 zoning district, while the second, imposed a four month “emergency” moratorium on additional development (within the B-2.5 District) to allow time to complete the authorized study. A copy of the Council agenda item summarizing events leading to the moratorium and including both actions is attached as Exhibit A.

Enacted in early 2009, the B-2.5 District (Exhibit B) was designed to promote 2007 Comprehensive Plan goals (Exhibit C) pertaining to the development/redevelopment of downtown riverfront lands from an industrial to a mixed (residential, retail, service) focus.

Given Council’s directive, staff plans to introduce this item to the Commission on April 22nd.

Attachments

REQUEST FOR COUNCIL ACTION

<i>Agenda Section:</i> New Business	<i>Originating Department:</i>	<i>Date</i>
<i>No:</i> 5	Planning	4/15/13

Item: **Request to Approve Moratorium Ordinance**

No. **5.**

SUMMARY OF REQUESTED ACTION:

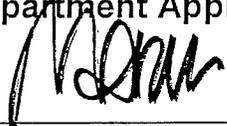
In part, the City's Comprehensive Plan includes recommendations to promote mixed use zoning concepts within downtown Riverfront areas. The goal of these recommendations being to encourage reuse activities that move away from present industrial to a greater mix of commercial, housing, office, and entertainment uses throughout the area, thereby fostering pedestrian flow and activity.

Given the previous, Council, in November of 2008, instructed the Planning Commission to create a new mixed use commercial zoning classification that would "initially" be applied to the area located between Second Street to the river and Johnson to Winona Streets, then zoned General Manufacturing. In short, the impetus for this focus area pertained to a 2008 request from Dave McNally to rezone (M-2 Manufacturing to B-2 Commercial) property at 2 Washington Street for a 10 unit condominium high rise complex. (The McNally request was ultimately dismissed, by him, in favor of Council's directed study.)

Following Commission study/recommendation, Council adopted an ordinance creating the B-2.5 (Mixed Use Business District). As a modified B-2 District the purpose/intent of this new district follows:

- **Use:** All uses in the existing B-2 zoning district are permitted in the new B-2.5 district. All uses first permitted in the B-3, M-1, and M-2 are prohibited. This creates an office/business/residential land use. It prohibits new heavy commercial uses (e.g. contractor's yards, bottling works and wholesale bakeries, printing and related trades, etc.) and new industrial uses.
- **Existing Entities:** Existing entities are allowed to continue operations and do not become a non-conforming use. Therefore, existing entities may continue to operate and expand on their current property.
- **Lot Area/Frontage/Setbacks:** These requirements are eliminated for residential uses, and kept the same as the existing B-2 district for commercial uses - except when the B-2.5 Mixed-use Business District is adjacent to a residential district. In this case, the setbacks increase to match the adjacent residential district.
- **Performance/Noise Standards:** Performance standards for vibration, odors and glare in the B-2.5 Mixed-use Business District are measured at the same point as the M-1

Department Approval:



City Manager Approval:



Request to Approve Moratorium Ordinance

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and M-2 Districts – at the boundary of the district or at any point within an adjacent R district. This is less stringent than the B-2 district which requires measurement 25 feet from the use or at the lot line, whichever is closer.

Standards for noise requirements are the same as the M-1 and M-2 districts. This is less stringent than the B-2 district by 10 decibels.

On May 18, 2009, Council adopted an ordinance serving to rezone the approximate 2 block area, reflected on Exhibit A, from M-2 (General Manufacturing) to the new B-2.5 District, and incorporating the McNally development site.

On April 9, 2010, McNally submitted his site plan for a 16 unit condominium structure to be built at the foot of Washington Street. Following determinations that the plan/use was consistent with site plan, utility, and zoning (B-2.5 District), plan approval was granted on September 9, 2010, and construction commenced in early 2011. Although the exterior of the structure is substantially complete, given recent financial difficulties, ownership has transferred to the River Bank who is presently considering remarketing options.

Given recent staff discussion of this issue, zoning, and the Comprehensive Plan considerations, staff has concerns that current B-2.5 regulations and controls may not adequately address potential density, parking and other negative impacts evolving from district use. As a result, the district may not be adequately reflecting Comprehensive Plan, recommendations for the downtown riverfront area. Given these concerns, staff recommends that Council enact a four month moratorium during which no expanded mixed-use development would be permitted within the B-2.5 District until City staff has an opportunity to fully research, study and consider the impacts, and potential impacts, of the various uses permitted within the District.

If, following its consideration of this request, Council finds it appropriate to initiate the moratorium, two motions are required. Of these, the first would read as follows:

Councilor _____ moves that the City of Winona authorize a study of the impacts and effects of existing, new or expanded mixed-use development in the B-2.5 zoning district within the central business core of the City of Winona for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's Comprehensive Plan, are necessary or appropriate.

Second. Councilor _____.

The second motion would serve to adopt the attached emergency moratorium ordinance. If adopted, this ordinance would take effect immediately.

It is emphasized that the moratorium ordinance would not apply to the condominium project, at 2 Washington Street, as originally approved by the City for a five story building with four condominiums on each of the top four floors, and resident parking on the ground floor of the building.

Attachments

ORDINANCE
**AN EMERGENCY INTERIM ORDINANCE PURSUANT TO MINNESOTA STATUTES,
SECTION 462.355, SUBD. 4, ESTABLISHING A STUDY PERIOD AND
MORATORIUM FOR A PERIOD UP TO FOUR MONTHS ON
DEVELOPMENTS IN THE MIXED-USE BUSINESS (B-2.5) ZONING DISTRICT**

Preamble: That on April 15, 2013, the City Council considered and passed a motion to authorize a study of the impacts and effects of existing, new or expanded mixed-use development in the B-2.5 zoning district within the central business core of the City of Winona for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's comprehensive plan, are necessary or appropriate. That City Charter, Section 3.05 requires two readings of ordinances and publication before an ordinance becomes effective, except for emergency ordinances. That Council has determined that any additional proposals for the above identified uses within the B-2.5 zoning district brought forward during the period prior to final adoption and publication of this interim ordinance will be detrimental to the referenced study and may therefore negatively impact the City's ability to consider and modify regulations for such uses for the preservation of the public health, safety and welfare and the City's planning process. That Council has determined that a public hearing is not required before the Council adopts an interim ordinance pursuant to Minn. Stat. § 462.355, subd. 4. To forestall additional proposals for uses identified herein from being brought forward prior to the City adopting the above-referenced moratorium and thereby undermining or negatively impacting the City's study, regulatory and planning processes, immediate consideration and action by the City Council is necessary pursuant to Winona City Charter, Section 3.06, Emergency Ordinances, to preserve and protect the public peace, health, morals, safety and welfare.

The City of Winona does ordain:

Section 1. Purpose and Intent. The purpose and intent of this Ordinance is to prohibit new or expanded mixed-use development in the B-2.5 (Mixed-Use Business) zoning district, Winona City Code § 43.60.1, in the central business core of the City of Winona (City). The City Council has determined that it needs an opportunity to fully research, study and consider the impacts and potential impacts of the various uses permitted in the B-2.5 zoning district.

Section 2. Preliminary Findings. The City Council hereby makes the following preliminary findings to serve as the basis for the necessary study to be made

during the moratorium period provided in this Ordinance. These preliminary findings serve as the reasons why it is in the public interest for the City to conduct a study and so declare a moratorium by virtue of this Ordinance:

- 1) The current regulations and official controls of the City may not adequately address the impacts and effects of current, new or expanded mixed-use development in the B-2.5 district within the City's central business core.
- 2) The City needs to research, analyze and study the impacts of such uses in relationship to the comprehensive plan or to determine the adequacy and effectiveness of current regulations in protecting the public health, safety and welfare of the community.
- 3) The public interest and public health, safety and welfare requires that the City study, analyze and evaluate the impacts and effects of existing, new or expanded mixed-use development in the B-2.5 district within the central business core of the City for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's comprehensive plan, are necessary or appropriate.
- 4) This moratorium will ensure that any ordinance changes or comprehensive plan amendments will be carefully considered and evaluated and that all the issues, including, but not limited to, density, parking, and land use can be fully examined, while protecting the City's planning process and the public health safety and welfare during the moratorium period.

Section 3. Moratorium Declaration. For the duration stated herein and until the City has studied and adopted any ordinances or amendments to its comprehensive plan deemed necessary or appropriate related to the aforementioned purpose, intent and findings of this Ordinance, the City shall not accept, issue or process any applications or permits for mixed-use development in the City's B-2.5 zoning district within the City's central business core.

Section 4. Study. During the period of this moratorium, City staff will conduct a study; such study to help determine the regulatory controls which may need to be adopted or revised to protect the public's health, safety and welfare related to the

aforementioned purpose, intent and findings. In addition, the City staff shall study the comprehensive plan to determine whether an amendment to the comprehensive plan is necessary or appropriate.

Section 5. Duration. Unless otherwise provided in this section, this Ordinance shall expire, without further City Council action, four months from the effective date of this Ordinance following its passage by the City Council pursuant to Minn. Stat. § 462.355, subd. 4; or it may be repealed earlier if the Council determines that no further study is necessary and any revisions of the City Code or Comprehensive Plan have been adopted by the City Council and are effective. The duration of this Ordinance may be extended by adoption of a subsequent Ordinance for a total time not to exceed the statutory limits in Minn. Stat. 462.355, subdivision 4.

Section 6. Exception. This ordinance shall not apply to that certain existing development project subject to and located on real property legally described in that certain Development Agreement dated June 16, 2011; provided however, that such development project must proceed as originally approved by the City for a five story building with four (4) condominium units on each of the top four floors and parking on the ground floor of the building.

Section 7. Separability. Every section, provision, or part of this Ordinance is declared separable from every other section, provision or part; and if any section, provision, or part thereof or action taken hereunder shall be held invalid, it shall not affect any other section, provision, or part.

Section 8. Effective Date. That this ordinance shall take effect immediately upon its adoption and shall be subsequently published.

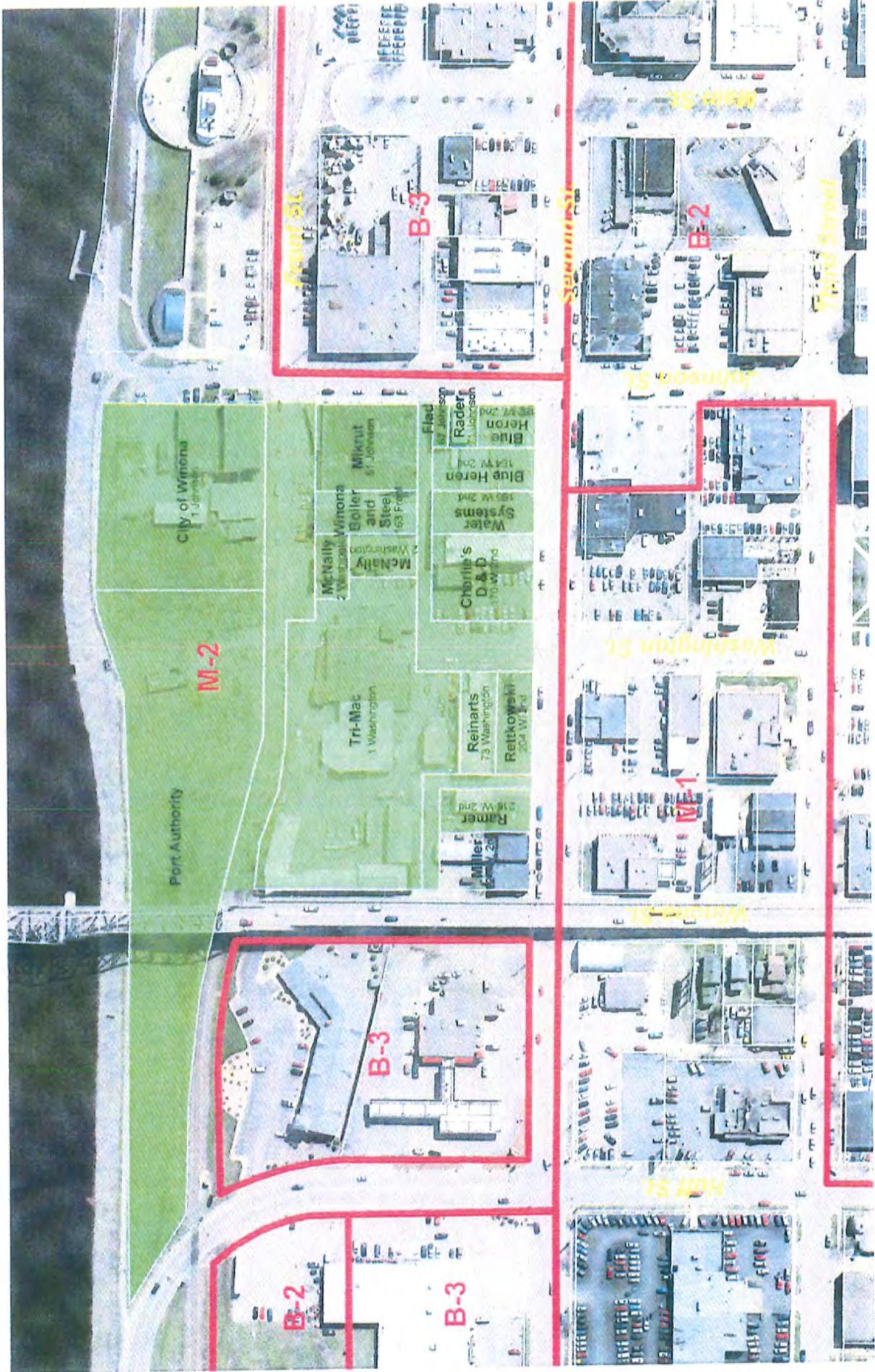
Dated this _____ day of _____, 2013.

Mayor

Attested By:

City Clerk

Modified Business District



This map was compiled from a variety of sources. This information is provided with the understanding that conclusions drawn from such information are solely the responsibility of the user. The GIS data is not a legal representation of any of the features depicted, and any assumptions of the legal status of this map is

-  Zoning District
-  Parcel Boundary
-  Modified Business District

RESOLUTION

WHEREAS Councilmember _____ moves that the City of Winona authorize a study of the impacts and effects of existing, new or expanded mixed-use development in the B-2.5 zoning district within the central business core of the City of Winona for the purpose of determining the adequacy and effectiveness of existing ordinances and regulations, or if additional or changed City ordinances or regulations, or amendments to the City's Comprehensive Plan, are necessary or appropriate; and

Second. Councilmember _____.

Dated this _____ day of _____, 2013.

Mark F. Peterson
Mayor

Attest:

Monica Hennessy Mohan
City Clerk

43.60.1 MIXED-USE BUSINESS DISTRICT. (a) Permitted Uses. Any use permitted and as regulated in the B-2 district shall be permitted in the B-2.5 district, except as hereinafter modified in the following:

- (1) Residential uses. Residential uses as permitted in the R-3 district provided that all first story residential uses located within the central business district core shall meet the requirements of Section 43.60 (b)(2).
- (b) Conditional Uses. Any conditional use as regulated in the B-2 district shall be permitted only if specifically authorized by the board in accordance with the provisions of Section 43.60 and Section 22.21 of this code.
- (c) Accessory Uses. Accessory uses and structures as permitted and as regulated in the B-2 district and such other accessory uses and structures not otherwise prohibited, customarily accessory and incidental to any of the forgoing permitted B-2.5 uses, shall be permitted in the B-2.5 district.
- (d) Required Conditions. The required conditions for the B-2.5 district shall be the same as those specified in Section 43.59 (d), except paragraph (4).
- (e) Prohibited Uses.
 - (1) Generally. Any use which is first permitted in the B-3, M-1, and M-2 districts; provided however, than any such uses legally existing at the time of adoption of this chapter or any amendment thereto, shall not be classified as a nonconforming use subject to the provisions of Section 43.32.
- (f) Height Restrictions. No principal structure shall exceed 6 stories or 75 feet in height except when any lot line coincides with a residential district line, then not more than 4 stories or 45 feet in height. The foregoing shall not apply if Section 43.21 applies.
- (g) Lot Area, Frontage and Yard Requirements.
 - (1) Lot area – none.
Frontage – none.
Front yard depth – none, except when either side lot line coincides with a residential district line, then not less than 25 feet.
Side yard width - none, except when either side lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.
Rear yard depth - none, except when either side lot line coincides with a residential district line, then not less than required for one family dwellings in the adjoining residential district.

3. Framework Plan

The remainder of the plan is organized by topic, and generally parallels the Four-Point Approach™ to commercial district revitalization developed by the National Trust Main Street Center. The four points are:

- Design – improving the physical appearance of both public and private properties, including preservation of historic buildings
- Promotion – marketing and managing downtown’s assets and attractions in the same unified way that shopping malls and centers are promoted.
- Organization – creating a sustainable organizational structure that can carry out Main Street improvements
- Economic Restructuring – strengthens the community’s existing economic assets while diversifying its economic base, including redevelopment and other land use transitions.

In the broadest sense, the downtown plan identifies changes in the use of land – both private property and public spaces. The design of buildings, streets, parks and parking is equally important in strengthening the downtown economy. Therefore, the topics of Land Use/Economics and Design are discussed before the more implementation-oriented topics of Promotion and Organization. Of course, many topics overlap – the topic of parking, for example, includes design, land use and economics, promotion and organization.

The primary sections of the framework plan are organized as follows:

- Land Use and Economic Strategies
 - Redevelopment
 - Mixed Use
 - Business Mix
- Design Strategies
 - Riverfront Access
 - Levee Park Redesign
 - Streetscape Improvements
 - Wayfinding Signage
 - Parking Improvements
 - Historic Preservation and Adaptive Reuse
- Promotional Strategies
 - Coordinated Hours and Promotions

- River-Oriented Recreational Opportunities
- Integrate Public Art into Downtown
- Organizational Strategies and Implementation Efforts
 - Support New and Existing Businesses
 - Downtown Historic District
 - Permanent Downtown Organization
 - Funding Strategies

Design Guidelines and a discussion of Special Service Districts are included as Appendices 1 and 2.

3.1 Land Use and Economic Strategies

Land Use Change and Redevelopment. As shown in Figure 2, Framework Plan, most of the existing land uses within the downtown are expected to remain in their current configurations for the immediate future. However, the downtown is already in the process of evolving toward a broader mix of uses, most notably toward addition of residential uses that can take advantage of riverfront amenities and help support the commercial core. The plan identifies locations where residential uses can be introduced. It also identifies opportunities to add new complementary uses, and to intensify existing ones. The dashed lines on the plan indicate potential for reuse or, in other cases, expansion. Opportunities include:

- A new Conference/Performing Arts center site in a riverfront location north of Second Street.
- County Campus area between Second and Fourth streets and Johnson and Winona streets – consolidation of offices and services, with structured employee and visitor parking.
- Redevelopment of the Plaza Square one-story office building (a 1970s infill structure) with more contemporary retail, office and/or residential uses.
- Expansion of the HBC headquarters with improved landscaping, parking, and screening or relocation of the 'antennae farm' to a less visible location.
- Focus of eating and drinking establishments along a "Restaurant Row" on Center Street, leading to Levee Park.
- Potential mixed commercial and office use, with integrated parking, on the "Hardees" block between Third and Fourth streets and Main and Johnson streets.

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Opportunity Sites and Areas

Figure 3 provides a more detailed view of the opportunities for redevelopment on the west side of downtown.

The **Conference/ Performing Arts Center** is shown as a grouping of buildings totaling about 150,000 square feet in area, designed to bridge the railroad tracks and provide direct riverfront access and a link to the Waterfront Trail. Parking for this facility and for the County Campus and downtown employees can be developed close to the Interstate Bridge overpass, an area that would otherwise be difficult to utilize. Figure 4 shows a cross-section through the conference center site, indicating how grade changes and walkways bridge the tracks and provide riverfront access.

The **County Buildings and Promenade** represents one concept as to how the County Campus might evolve (the area is still being studied and considered by the County). It provides a green promenade linking the existing courthouse and future conference center, on an axis with the WSU campus and the riverfront.

To the east, the **Riverfront District** is an area with great potential for mixed-use development that combines lower-level parking and retail with upper-story housing. Building heights that enable views over the levee and across Levee Park to the river would be highly desirable locations for new condominium or higher-end rental units.



Figure 3: Development Opportunities, West Side

Figure 4: Cross-Section, Proposed Conference/Performing Arts Center

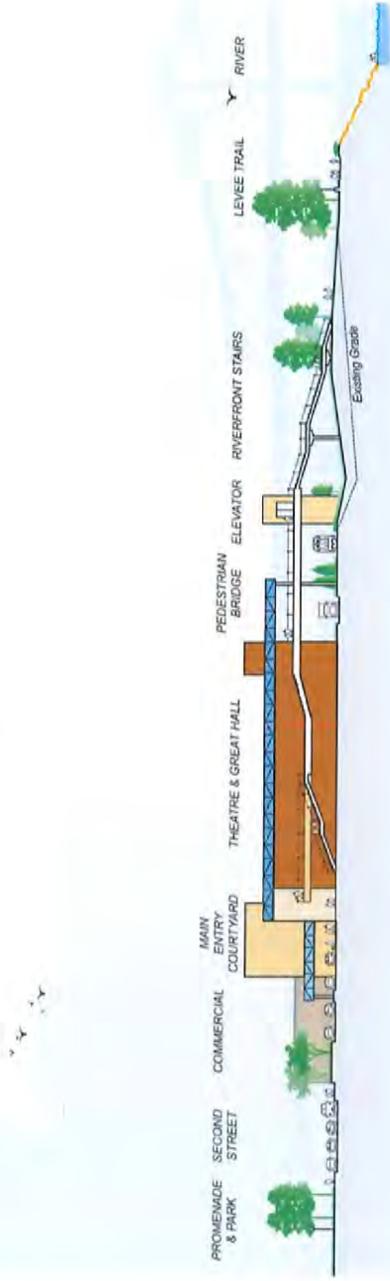


Figure 5: Development Opportunities, Arts District



The existing municipal parking lot in this area could be converted to this type of mixed-use development; parking would be replaced in the new structures and the conference center ramp. This area is also ideal for a public market, possibly with a permanent shelter or other structure.

Figure 5 provides a close-up of development opportunities in a potential "Arts District" south of Fourth Street. The area already includes the ornate and well-preserved Masonic Lodge (Theatre du Mississippi and ground floor Senior Friendship Center). The recently vacated Chrysler Building and surrounding block offer opportunities for office or studio and residential uses. The vacant former Middle and High School auditorium offers many opportunities for performing arts, studios, offices and housing. Adjacent blocks along Fourth Street would also be well-suited to townhouse development.

Figure 6 shows additional development opportunities on the east side of downtown. Fewer properties in this area are likely to become available for redevelopment, with the exception of the Michael's Lighting/USFS Sign Shop properties, which would be well-suited for riverfront housing. However, there are many opportunities for commercial infill and small-scale redevelopment.

Figure 6: Development Opportunities, East Side of Downtown



Updated Zoning for Mixed Use. The framework plan encourages mixed use, including commercial, housing, office and entertainment uses, throughout the downtown riverfront area, fostering pedestrian flow and activity. Mixed use can be promoted through updated zoning that offers incentives for preferred types of uses, as well as through public investments such as the redesign of Levee Park. Zoning standards can also encourage a strong arts presence in the downtown area, and facilitate redevelopment of industrial sites (where industrial facilities could be relocated). Updated zoning standards should also address issues such as building height and massing, to ensure that taller buildings are carefully sited to avoid “walling off” the riverfront

Preferred Business Mix. Downtown interests are working to define and establish an appropriate business mix that will make the downtown vibrant year round, during the day and into the evening and be appealing for residents and visitors alike. While the

current downtown business mix is oriented towards community needs, there is a need for additional visitor-oriented retail and services. Examples of desirable complementary businesses include:

- Specialty retail oriented towards particular clusters of activities, such as crafts, gifts, home supplies, antiques, furnishings and décor, that can draw customers from a larger area;
- Art galleries and artists' studios, providing opportunities for visitors to interact with artists and craftspeople;
- River-oriented recreational equipment and visitor services, such as canocing, kayaking, biking and fishing equipment and tours.
- Restaurants – there is a strong desire for more upscale “fine dining” restaurants, but these have proved difficult to attract and retain. However, as downtown residents increase in number, the potential for such businesses will also increase.

Downtown Housing. Create additional living space in the downtown area that will enhance the vitality of the business community. In this case, Winona can draw upon housing prototypes from the Twin Cities and other riverfront communities such as La Crosse. Loft-type multifamily buildings of 4 to 6 stories in height, sometimes with retail /office uses at ground floor level, have proved popular both as condominiums and rental units. While the condo market may have peaked in larger cities, its potential in Winona remains untapped. Potential market segments include university faculty, staff and graduate students, empty-nesters, retirees and young professionals. Live-work combinations such as artists' studios should also be explored. The Framework Plan above, and Figures 3, 5 and 6 identify several suitable locations for conversions or new construction, both overlooking the river and in the “Arts District” area south of the downtown core. Of course, detailed market studies would likely be part of any large-scale development proposal.

3.2 Design Strategies

Downtown-Riverfront Connections. Develop improved public access to and use of the riverfront while preserving the mixed use heritage of the “working” river. This policy includes recommendations for street connections and relates closely to the following policy on the redesign of Levee Park.

Figure 7: Gateway Concepts & Character Examples



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- Relocate the rail storage area to the east and utilize the reclaimed area to link downtown to Levee Park & the riverfront. Install perimeter fencing and landscaping along one active track with safety signals and signage. Program this space for active use with features such as market & entertainment pavilions. Repave area with material such as red brick to contribute to the character of the district. Incorporate prominent gateway & focal point features that are visible from multiple points in order to link the function of the riverfront to downtown. (See Figure 4 and Figure 7 for an illustration of this approach)
- Main Street should be redesigned as the “gateway” to Levee Park. This action depends on relocating the railroad switching yard along Levee Park, which may not occur for some time. Interim actions include:
 - Create a comfortable and safe access to Levee Park over the railroad tracks at Main Street. Access to the river by way of Main Street should be as wide as Main Street itself.
 - Until the railroad switching yard is relocated, create comfortable and safe access to Levee Park over the railroad tracks at all feasible access points.
 - Develop signage and landscaping for all alternative street accesses to the River (as well as Main Street) that clearly designates, invites, and draws one to Levee Park from the Downtown area.

Levee Park Redesign. Levee Park should be redesigned according to the following general criteria. (However, it is understood that the actual redesign will be a separate process with additional public input, and that the final design will reflect this process.)

- Levee Park is intended to remain as permanent open space, including only those structures that contribute to its attractiveness and usability as a park. It should not be considered as a location for buildings or other non-recreational purposes.
- Reference and draw upon the original Levee Park design plan, while recognizing and accommodating the levee structure and other contemporary needs;
- Minimize the visual impact of fencing and landscaping which block views and access to the riverfront;
- Increase the docking facilities on the riverfront and include a means of easy identification (directions and attractions) and access routes from the docking area to the downtown area;



Figures 8 and 9: Landscape and Path Concepts, Levee Park



- Balance vehicular and pedestrian access. In general, maintain vehicular access to overlook areas, but consider limiting vehicular access along the length of the riverfront to transit and emergency vehicles.
- Maximize and enhance views of the river from throughout the park, through terracing or other changes in elevation.
- Create covered and uncovered picnic and seating areas throughout the park. Improve lighting in order to make the area functional, inviting, and safe for both day and evening entertainment venues and gatherings.

The Downtown Revitalization Committee, the Historic Downtown Business Group and other downtown interests and organizations should be involved in the redesign process.

The Wilkie site. The status of the Julius C. Wilkie Steamboat Center has been a topic of much debate during the development of this plan. The structure is a life size replica of a former paddlewheel tugboat, the James P. Pearson, acquired by the Winona County Historical Society in 1956, which burned down in 1981. The steamboat replica showed artifacts of the river history, Victorian furniture and steamboat models, and was open for tours and events. However, it closed in 2006 due to safety issues and operating challenges. As of July 2007, the question of whether the structure should be removed, restored at its current location, relocated to another site, or replaced by a new structure has yet to be resolved.

Whether the existing structure is removed or remains at its current location, the Wilkie's site, including the concrete drainage structure on the city side, should be considered as part of the overall park redesign. The site could be reconfigured to include sculptures and other public art features, water features, staircases, and pavilions or seating areas with generous landscaping, arbors or shade trees.

Figures 8 and 9 illustrate some potential treatments of the park's landscape and path system, as viewed from the downtown side and from the river side. Colored and textured pavement materials add depth and interest to the park.

Design Guidelines. Implement design guidelines for the greater downtown area. The primary purpose of design guidelines is to foster high-quality development and redevelopment that is compatible with downtown's historic buildings and streetscapes. Design guidelines can also complement public investment in streetscape or parking improvements, while reducing uncertainty in the development review process. Guidelines typically apply to new construction, major exterior additions, or site improvements such as new parking. They can be linked to updated zoning standards

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(see above) or incorporated into a site plan review process. Design guidelines are included as an Appendix to this report.

Streetscape Improvements. Continue to implement streetscape improvements throughout the downtown, with priority given to those blocks that provide connections to the riverfront and support the greatest concentration of pedestrian-oriented uses. Streetscape improvements will require more detailed design, but should include:

- Wayfinding signage with a consistent historic appearance that leads pedestrians and motorists to downtown landmarks (discussed in more detail below).
- Street trees and other landscaped green space that will attract future downtown residents and provide gathering spaces.
- Decorative lighting and a coordinated palette of street furniture – benches, trash receptacles, bike racks, etc. – with consistent design, materials and colors.
- Decorative brick paving in the “boulevard” area of downtown sidewalks and within crosswalks. Preservation of existing brick streets.
- Treatment of alleys as pedestrian ways, with decorative paving and gateway elements.
- Screening of surface parking with decorative fencing or walls and landscape material. Both public and privately-owned parking lots should be screened. Figure 10 illustrates this approach as applied to an existing surface parking lot and the adjacent street.

Streetscape improvements should be consistent, and should be linked to the character and function of each street. That is, treatments of a wide arterial street such as Broadway will differ from treatment of the shorter north-south streets that lead to the riverfront. Figure 11 illustrates a proposed hierarchy of streetscape improvements and other landscape and design treatment, in combination with the major development opportunity sites. Streets are defined as:

- **Primary streets**, receiving the highest level of pedestrian improvements: Third Street and Washington Street, which is shown continuing as a pedestrian route through the Courthouse complex and extending to the WSU campus.

Figure 10: Parking Lot Landscaping and Streetscape Concept



Examples of streetscaping and alley treatment, Milwaukee.

- **Secondary streets**, receiving a somewhat simpler treatment: the north-south streets from Johnson to Walnut, as well as Liberty Street and the segment of Third Street east of the primary retail core. The north-south streets should be signed to indicate river access.

The graphic also shows existing truck routes (Second Street and the Highway 43 alignment of Main, Fourth and Winona streets); these should be designated for special treatment.

In addition to the design of streetscape improvements, creation of sign standards and façade improvement guidelines for downtown businesses, both within and outside of local historic districts, will complement and strengthen the public streetscape investment. (See Design Guidelines in Appendix.)

Wayfinding Signage. “Wayfinding” is a term used to describe how people use spatial and environmental information to find their way through the built environment. It includes not only signage but spatial cues from the arrangement of buildings, defined pathways, views, and other environmental cues. In terms of signage, wayfinding signs can be described as a ‘family’ or ‘palette’ of signs that lead visitors to and through districts or particular attractions. In Winona’s case, some signs already point to downtown and other attractions, but are not designed to enhance the city’s image. Once within the downtown or along the riverfront trail, signs should also be used to identify particular civic, cultural or recreational attractions and facilities, including parking lots, parks, buildings and river access points. The system also extends to the design of banners used within the streetscape. Figure 11 indicates potential locations of wayfinding signs.



Typical ‘family’ of wayfinding signs and banners.



Pedestrian-scale signs in Milwaukee identify points of interest and districts.

LEGEND

-  PRIMARY STREETSCAPE
-  SECONDARY STREETSCAPE
-  WSU FOOTSTEPS STREETSCAPE
-  TRUCK ROUTE - PRIMARY
-  TWO WAY TRAFFIC - ONE SIDE DIAGONAL PARKING
-  GATEWAY SIGNAGE TO DOWNTOWN / RIVERFRONT
-  DOWNTOWN WAY FINDING SIGNAGE TO RIVERFRONT

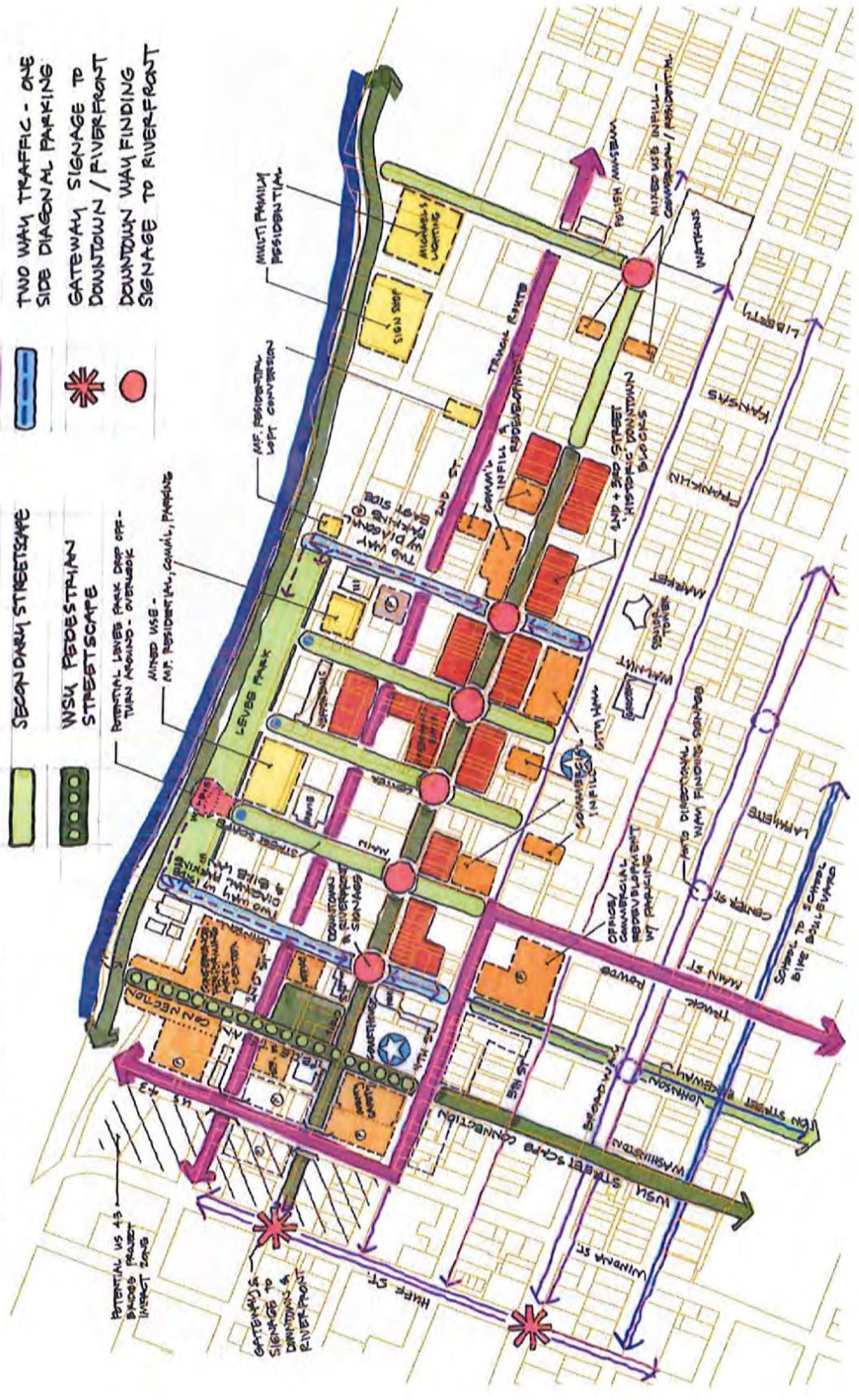


Figure 11: Downtown Streetscape Improvement Framework

Parking Management and Improvements. As with many downtowns, Winona suffers from somewhat exaggerated perceptions of inadequate parking supply because of peak hour shortages of visible parking.



Figure 12: 1997 Parking Study Inventory

The 1997 Parking Study identified a core parking district and an area within it that experienced the highest demand for parking, as shown in Figure 12. The study's recommendations were used to create longer-term parking in city lots further away from the high-demand area.

Current parking restrictions are shown in Figure 13, including both on-street and off-street restrictions. Problems with the current system include a lack of resources committed to enforcement, employee use of on-street spaces that should be reserved for customers, and a lack of dedicated parking for residents.



Figure 13: Current Parking Restrictions

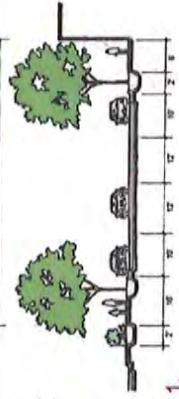
As new uses such as housing are introduced into downtown, parking demands may increase. To better manage the parking supply, it is important to distinguish between different populations and their needs:

1. **Visitors and customers:** should receive highest priority for visible and convenient on- or off-street parking;

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2. **Employees:** should be guided to long-term, off-street parking, with incentives for its use and disincentives for on-street parking;
3. **Downtown residents:** need dedicated off-street parking, although at lower ratios than typical single-family housing.

Figure 14 indicates locations where the parking supply could be increased through conversion of parallel to diagonal parking on one side of several two-way streets. The north-south streets north of Third Street lend themselves to the introduction of diagonal parking in several locations, as shown in the accompanying details (Figure 15). Main Street is shown with diagonal parking on both sides, while Walnut Street is shown with diagonal parking along one side.



14: Expanded On-Street Parking Opportunities

Figure 15: On-Street Parking Details
1. Third Street (existing parallel parking)





Before and after restoration: the Choate Building (top and center) and Woolworth Building (above and right).

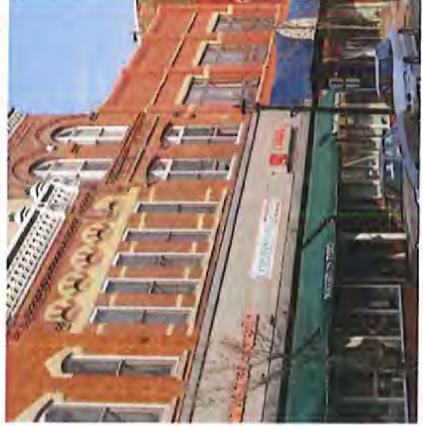
A downtown/riverfront trolley service could also link satellite parking areas to downtown businesses and recreational, cultural and entertainment venues, including the Minnesota Marine Art Museum, the Winona County Historical Society museum, the Watkins and Polish museums, Levee and Aghaming parks, and other sites as they become accessible.

Another component of parking management should be improved enforcement of parking time limits, since this would create a disincentive for employees or business owners to use close-in on-street parking spaces.

Parking management should also include requiring off-street parking for residential units downtown (no off-street parking is currently required for any downtown uses). Such reserved parking spaces could be provided on other locations within the same block or within a short distance, to allow some flexibility in site planning.

The City may also wish to consider long-term options for gaining parking revenues, including charging fees for off-street and on-street parking. New metering systems are easier to use and install (i.e., one machine can serve a block). Parking revenues could be an important source of funding for downtown improvements, and should be dedicated to that purpose.

Historic Preservation and Adaptive Reuse. Beginning in the 1980s, the City has used Small Cities Development funds and created a revolving loan fund to support the rehabilitation of historic downtown buildings. These included buildings such as the Choate and Woolworth buildings, shown at left. A total of 38 commercial buildings have been rehabbed to date, and 69 mainly upper-story rental units have been created.



The City should continue to provide financial incentives and resources for historic building rehabilitation and adaptive reuse. Additions to the program could include design assistance for buildings eligible for rehab funds, as a way to encourage property owners to meet the guidelines for both the historic districts and the greater downtown (see Appendix). Other preservation actions should include establishment of a local historic district and updating zoning regulations to provide incentives for building restoration (see below under Organization and Implementation).